

S/N: 09/345,659

PD-990066

Reply to Office Action of February 24, 2005

Remarks

Claims 1-3, 5-16 and 28 remain in the application. Claims 1-3 and 5-14 remain allowed by the Examiner. Claims 15, 16, and 28 are resubmitted together with argument in support of the claim limitations, including their interpretations on the record by both the Examiner and applicant, that support the patentability of the claims over the teachings of the cited prior art references. Accordingly, all of the claims are now considered in condition for allowance.

The Examiner rejected claims 15, 16 and 28 under 35 U.S.C. § 103(a) as obvious from the teachings of Hiroi in view of a newly cited patent to Chawla. The Examiner again argued that Hiroi teaches an uplink transmitting AC-3 audio with video transmissions in a satellite broadcasting system that includes an encoder with switch logic input as defined in the claim and a multiplexer combining output data with conditional access data and program guide data. However, as previously discussed with the Examiner, and as noted by the Examiner in the interview report mailed February 1, 2005, an uplink with "a plurality of audio signal formats" particularly defined over Hiroi's description of the "audio circuit 130 generates elementary data streams compressed upon the basis of the AC3 or HPEG2 specification." (Hiroi, column 4 lines 47-49) There is no teaching or suggestion of redirecting both (a plurality) signals in an uplink transmitter, nor any discussion of "switch logic input automatically sensing" both (a plurality of) formats.

Moreover, the Examiner's interview summary recited that "multiple encoders that redirected signals can be sent to, based upon the sensing result" refers to features not discussed in the uplink description of Hiroi. Neither Hiroi, Chawla nor their combination, provide these features from their teachings. The system description patented by Hiroi relates to the receiver portion of the system, and only Figure 1 of the Hiroi patent identifies features referring to an uplink processor. Moreover, while Hiroi shows a stream combiner that receives an output from an audio stream generator, there is no teaching or suggestion that the stream combiner uses switch logic input that automatically senses the audio signal's format.

S/N: 09/345,659
Reply to Office Action of February 24, 2005

PD-990066

Rather, as described, the stream combiner 150 appears to receive only one of the two types discussed as examples by Hiroi.

Moreover, claim 15 defines an encoder adapted to process the sensed audio signal format, by redirecting signals to one of a plurality of encoders. No particular type of encoder, nor need for more than one, is defined in the stream combiner of Hiroi. Accordingly, important limitations of the claim are not disclosed, obvious from or inherent as necessarily occurring within, the stream combiner teachings of Hiroi. The combined teachings of Chawla fail to provide these shortcomings of Hiroi.

As acknowledged by the Examiner in the interview summary, the "multiple encoders that the redirected signal can be sent to, based upon the sensing result of the switch logic" defines the features not taught or suggested by Hiroi. Since Hiroi teaches improvements that pertain particularly to the features of the receiver, without acknowledging switching and redirecting different audio format signals in an uplink processor, these limitations are not supported by the cited reference. Moreover, the patent of Chawla also has little relevance to the structuring of an uplink processor. Chawla expressly refers to multiple channel digital media servers and features that reduce overhead associated with those devices. Accordingly, there is no teaching or suggestion that the teachings of a server structure are useful for combining with the receiver invention of Hiroi, to provide an uplink processor as expressly defined in the claims.

The Examiner argued that Chawla teachings a content manager that discerns different audio formats via a packet identifier. As recited at the excerpt cited by the Examiner, PID's are essentially a three character string that identifies the language (spoken) within signals having the same (MPEG-2) format. (See column 9, lines 13-15 and column 8, lines 50-55, again referring to use of different languages of audio signals in MPEG-2 format.) There is no teaching or suggestion of any switch logic input to redirect differently formatted signals to different encoders as expressly required in the claims. Accordingly, the teachings

S/N: 09/345,659

PD-990066

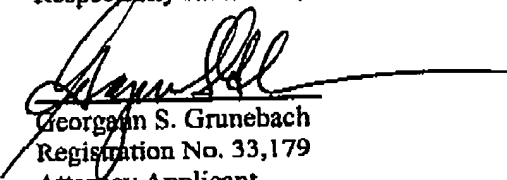
Reply to Office Action of February 24, 2005

of Chawla add little to the teachings of Hiroi that would render the present invention obvious under 35 U.S.C. § 103.

Similarly, both claims 16 and 28 depending from claim 15 and expressly refer to the compression sensing used in the preferred embodiment of the present invention to switch and redirect the differently formatted signals that may be provided to the uplink processor. No such switching or redirecting of signals to encoders, nor the sensing of signal formats by the type of compression used on the signal, is taught or fairly suggested by the references. Rather these references relate to structures that have little relevance to uplink broadcasting of satellite television signals, and transmitting formats of audio signals. Rather, the Chawla reference identifies languages used in the signals of the same format. The use and storage of three digit language identifiers is substantially different from sensing the compression format used on audio signals. Accordingly, Chawla adds little to the teachings of Hiroi that would render claims 16 and 28 obvious under 35 U.S.C. § 103.

In view of the forgoing, applicant respectfully submits that the present application is now in condition for allowance, and such action is respectfully requested.

Respectfully submitted,



George S. Grunebach
Registration No. 33,179
Attorney Applicant

Date: May 23, 2005

The DIRECTV Group, Inc.
RE / R11 / A109
P.O. Box 956
2250 E. Imperial Highway
El Segundo, CA 90245

Phone: 310-964-4615